

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	
	:	CRIMINAL ACTION
v.	:	
	:	
RONALD SMITH	:	No. 04-229

ORDER

AND NOW, this 5th day of June 2009, upon consideration of Defendant Ronald Smith's Motion to Vacate/Set Aside/Correct Sentence Under 28 U.S.C. § 2255 (Doc. 79), Smith's Memorandum of Law in Support (Doc. 83), the Government's Response (Doc. 88), and Smith's Reply (Doc. 89), and in accordance with the attached Memorandum, it is hereby ORDERED that

- (1) Defendant's Motion to Amend (Doc. 81) is GRANTED;
- (2) Defendant's § 2255 Motion (Doc. 79) is DENIED;
- (3) Defendant's Request for a Certificate of Appealability is DENIED; and
- (4) The Clerk shall mark the corresponding civil action for Defendant's Motion (Civ. A. No. 08-5723) CLOSED for statistical purposes.

BY THE COURT:

/s/ Michael M. Baylson
Michael M. Baylson, U.S.D.J.